

**DISPOSITION:** March 7, 1952. Pleas of nolo contendere having been entered, the court imposed a fine of \$250 against Defendant Levin and a fine of \$100 against Defendant King and placed each defendant on probation for 1 year.

**3684. Misbranding of Dexedrine Sulfate tablets. U. S. v. Cicero's Drug Store and Sherwood V. Roark.** Pleas of nolo contendere. Each defendant fined \$250. (F. D. C. No. 30622. Sample Nos. 21037-L, 21045-L, 21049-L, 21951-L.)

**INFORMATION FILED:** September 12, 1951, Northern District of Texas, against Cicero's Drug Store, a partnership, Grand Prairie, Tex., and Sherwood V. Roark, a partner.

**INTERSTATE SHIPMENT:** From the State of Pennsylvania into the State of Texas, of quantities of *Dexedrine Sulfate tablets*.

**ALLEGED VIOLATION:** On or about February 22 and March 2 and 13, 1951, while the drug was being held for sale at Cicero's Drug Store after shipment in interstate commerce, the defendants caused a number of the tablets to be repackaged and sold without a physician's prescription, which acts resulted in the repackaged drug being misbranded.

**NATURE OF CHARGE:** Misbranding, Section 502 (b) (2), the repackaged tablets failed to bear a label containing an accurate statement of the quantity of the contents; Section 502 (f) (1), the labeling of the repackaged tablets bore no directions for use; Section 502 (b) (1), the repackaged tablets involved in three of the four sales failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor; and, Section 502 (e) (1), the repackaged tablets involved in one of the sales failed to bear a label containing the common or usual name of the drug.

**DISPOSITION:** February 28, 1952. Pleas of nolo contendere having been entered, the court imposed a fine of \$250 against Cicero's Drug Store and \$250 against Sherwood V. Roark.

**3685. Misbranding of amphetamine sulfate tablets. U. S. v. Hardy McClary.** Plea of guilty. Sentence of 1 year in prison and fine of \$500; execution of prison sentence suspended and defendant placed on probation for 1 year. (F. D. C. No. 30625. Sample Nos. 21012-L, 21013-L.)

**INFORMATION FILED:** September 12, 1951, Northern District of Texas, against Hardy McClary, Dallas, Tex.

**INTERSTATE SHIPMENT:** On or about March 5, 1951, from the State of New Jersey into the State of Texas, of a quantity of *amphetamine sulfate tablets*.

**ALLEGED VIOLATION:** On or about March 23 and 24, 1951, while the drug was being held for sale after shipment in interstate commerce, various quantities of the drug were repacked and sold by the defendant without a physician's prescription, which acts resulted in the repackaged drug being misbranded.

**NATURE OF CHARGE:** Misbranding, Sections 502 (b) (1) and (2), the repackaged drug failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and statements of the quantity of the contents; Section 502 (e) (1), the drug failed to bear a label containing the common or usual name of the drug; and Section 502 (f) (1), the labeling of the repackaged drug failed to bear adequate directions for use.

**DISPOSITION:** February 22, 1952. The defendant having entered a plea of guilty, the court sentenced him to imprisonment for 1 year and fined him \$500. The